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FEDERAL DISTRICT COURT

ARIZONA – TUCSON

[PLAINTIFFS NAME],

Case No.: [NUMBER]

Tommie Jayne Wasserberg,

[PLEADING TITLE]

vs.

Answer To DMCA Counterclaim

YOU TUBE CHANNELS BEARABLE THOMAS,
MILLENNIAL TURKEYS AND LOL TOM'S FAT

Defendant

Display name of uploader: Bearable Thomas

This video and other videos on this channel fall under fair use. These videos are commentary and criticism of a public figure who is falsely using the DMCA to harass those who would criticize him.

This is untrue. Firstly, the plaintiff is not a “him”, but an intersex person who has an extremely unpleasant male aspect this uploader deliberately provokes by calling the plaintiff a man, falsely accusing the plaintiff of mental illness for being transgender, dishonest business practices and sexual predation.

The defendants have a bot programmed to automatically upload the plaintiff's videos from You Tube and Facebook immediately after the plaintiff uploads them.

Libelous, defamatory statements of fact do not qualify as “fair use” and are in violation of 28 U.S. Code § 4101

This public figure also uses the DMCA to get the dox of those who would criticize him for targeted harassment of both myself and others. This is a formal notice to YouTube that allowing this man to continue to file false DMCA claims will result in your legal liability for infringing on fair use

This is another false statement where the truth is that the defendants and their associates are gang stalking and harassing the plaintiff, intentionally inflicting emotional distress, falsely reporting emergencies to police

[PLEADING TITLE] - 1

ATTACHMENT TO COMPLAINT

1 and state agencies and contacting the plaintiff's business and social contacts to "warn" them about the
2 plaintiff.

3 I swear, under penalty of perjury, that I have a good faith belief the material was removed due to a
4 mistake or misidentification of the material to be removed or disabled.

5 I consent to the jurisdiction of the Federal District Court for the district in which my address is
6 located, or if my address is outside of the United States, the judicial district in which YouTube is located, and will
7 accept service of process from the claimant.

8 Thomas Jay

9 Thomas Jay
10 159 Blue Stone Hills Dr
11 Harrisonburg, VA 22801
12 United States
13 bearablethomaswasserburg@gmail.com

14 (540) 328-5527

15 This signature, in and of itself, pursuant to 18 U.S.C. § 1001, should be sufficient for a judgment
16 in favor of the plaintiff because the uploader used a misspelling of the plaintiff's dead name with an address and
17 phone number registered to others. When the plaintiff tried to contact the telephone number, the plaintiff received a
18 text message from "Thomas Jay, Chief Accounting Officer of the Hoffman group" who instructed the plaintiff to
19 give the "Ribo elimination squad 5-10 business days to properly eliminate you". Clearly an attempt to inflict
20 emotional distress on the plaintiff.

21 Despite numerous complaints by the plaintiff, their friends and family about the harassment and bullying by these
22 channels for several years, You Tube has refused to take action, necessitating the plaintiff's DMCA takedown
23 request. The plaintiff prays the court to order You Tube to disable this uploader's channel and those of their
24 associates, Millennial Turkeys and LOL Tom's Fat for the sake of the plaintiffs peace of mind and their right to
25 conduct business on the internet unimpeded by a smear campaign.

26 While the plaintiff cannot document any financial loss beyond court costs incurred by the defamation by this
27 channel and two others, Millennial Turkeys and LOL Tom's Fat, the plaintiff prays the court will order punitive
28 damages in an amount the court deems to be commensurate with the emotional pain inflicted and social and business
connections sabotaged by their false claims about me. The cities of Tucson and South Tucson deserve
compensatory damages for costs incurred by four 911 pranks by this group.

Plaintiff is humbly requesting the appointment of counsel as there are no attorneys willing to take this matter on
contingency due to the cost of litigation compared to the estimated recovery and no attorney will take it on retainer
due to conflicts. The plaintiff can afford to pay on a reduced fee basis.

January 8, 2025
Dated this January 7, 2025

Tommie Jayne Wasserberg
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